

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

CAROLYN L. JENKINS

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, ET AL.

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Civil No. JFM-09-942

MEMORANDUM

This action has been transferred to this district from the United States District Court for the District of Columbia, where it was originally filed. Prior to the transfer, defendant filed a motion to dismiss or for summary judgment. Plaintiff, who is appearing pro se, has responded to the motion. The motion will be granted.

The action arises from an incident that occurred at BWI Airport on August 15, 2008. If plaintiff's allegations are true (she was subjected to extremely rude and discourteous behavior by an officer of the Transportation Security Administration of the Department of Homeland Security) the conduct directed toward her did not violate her constitutional rights, was not actionable under Title VII of the Civil Rights Act of 1964, and was not an assault or otherwise tortuous. Accordingly, plaintiff has failed to state a claim upon which relief can be granted and the action must be dismissed.¹

Date: 2/18/10

/s/

J. Frederick Motz

United States District Judge

¹ Defendant also claims in its motion that plaintiff did not file a proper claim under the Federal Tort Claims Act. However, an attachment to plaintiff's response reflects that she did file an appropriate administrative claim.